

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

JAVIER OSORIO

Hon. Brian R. Martinotti, U.S.D.J.

Crim. No. 19-936

Motion to Dismiss

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, Philip R. Sellinger, the United States Attorney for the District of New Jersey, hereby moves to strike the drug weight allegations in Counts One and Two of the Superseding Indictment in this case, Docket Entry 68, against Defendant Javier Osorio, along with “(A)” in the charging language of Counts One and Two and the Forfeiture Allegation as to Counts One and Two, as shown in the attachment. This will dismiss the greater offenses charged in part under § 841(b)(1)(A) and leave intact the lesser-included offenses that are subject to § 841(b)(1)(C). Subjecting Defendant to the increased penalties of the greater offenses is not in the interests of the United States at this time.

Respectfully submitted,



PHILIP R. SELLINGER
UNITED STATES ATTORNEY

So ordered this ____ day of June, 2023:
Leave is granted to dismiss the greater offense

Hon. Brian R. Martinotti
United States District Judge